Economic Facilities for Non-Muslims in a Muslim Country In the Light of Quran and Sunnah[1]

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Abstract:

The question of economic facilities for non-Muslims in a Muslim country has been one of the most important questions in the Muslim and non-Muslim world. It has been highlighted by some economists and jurists about their economic facilities. This paper is intended to discuss the economic facilities for non-Muslims in a Muslim country in the light of Quran and Sunnah and the Islamic history. It is the topmost responsibility of the Islamic state/Muslim country to fulfill the basic needs of human life and to encourage voluntary services for the welfare of the poor, to promote equal opportunities in a Muslim country, to enforce social and economic justice in Islam, to provide social security and basic economic facilities, and to give a fair share of economic rights to all citizens. The Government should also provide employment (services), Jizyah and to impose tax on non-Muslims. It will be shown that in Muslim countries, all non-Muslims have equal economic opportunities and rights as other Islamic citizens and also the same status in terms of Islamic economy. This paper may also throw some light on the Islamic Philosophy of economy in the contemporary Muslim world and explore the constituents and effects of an Islamic/Muslim anti-economy policy. This paper will conclude by providing some suggestions on ways of solving contemporary non–Muslim economic problems in Muslim countries nowadays.

Introduction

Islamic teaching on "Economic Facilities for non-Muslims in a Muslim country" is the basic teaching of Islam with the purpose of eradicating poverty. Islam gives great importance to the dignity of each individual human being in a Muslim society. Islam opposes regimentation and stands for the abolition of all classes of society distinctions and promotes fair regards for all human beings.

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Islamic teachings are more directed towards the establishment of an egalitarian society and are against all kinds of injustice.

According to the Holy Quran, the basic purpose of guidance provided by God through his messengers is "to enable mankind to establish justice."[2] "God has made man His vicegerent on earth",[3] and "enjoined on him the duty of dealing justly with everyone".[4] No other subjects are more closely connected with the concept of justice than 'human rights'.

Basic Human Rights in an Islamic State

All human rights granted by Islam are based on the principles of General Islamic state, which are:

1. Right to live: Human life is sacred and inviolable, and every effort shall be made to protect it.
2. Freedom of Profession: There should be free entry into all professions which are permitted in Islam, not only for the Muslims alone.
3. All people are equal; therefore the people are entitled to redress their grievances in accordance with *Shariah*.
4. Everyone is entitled to own his / her own property individually or in association with others. State ownership of certain economic resources in the public interest is also legitimate.
5. The poor have their rights to achieve wealth to the extent that the basic needs of everyone in society are met.
6. Human exploitation at any level in any shape under any circumstances is anti-Islamic and must be ended." [5]

An Honour to the Sons of Adam

Islam assures the basic needs fulfillment for all citizens, irrespective of the stage of development of a country. Islamic views are more clear and flexible about men and the honor of the Economic facilities for all human beings and non-Muslims in a Muslim country. These are stated in the Quran and Sunnah. Allah s.w.t. has also claimed this in the Holy Quran.

"We have honored the Sons of Adam; provided them with transport on land and sea, given them sustenance of things good and pure; and conferred on them special favors, above a great part of our creation".[6]

Abdullah Yosef Ali wrote about this claim, "The distinction and honor conferred by Allah on man are recounted in order to enforce the corresponding duties and responsibilities of man. He is raised to a position of honor above the brute creation. He has been granted talents by which he can transport himself from place to place by land, sea and now by air. All the means of the sustenance and growth of every part of his nature and

provided by Allah and his spiritual faculties (the greatest gift from Allah) raise him above the greater part of Allah's creations. Should he not then realise his noble destiny and prepare for the real life in the hereafter? In the other place Allah says in the Holy Quran. The summary of of the statement is as follows:

"These resources have been created by him as a gift to mankind as a whole and whatever comes into the possession of any single individual is to be treated as a trust".[7] This trust cannot he said to have been duly discharged unless each and everyone has enough to satisfy at least his basic needs.

The Basic Fulfillment Needs of Life

It is the duty of all Muslims to fulfill the basic human needs. The Quran makes it very clear that the sustenance of life, which is the basic necessity of human society, is not left to the whims of certain classes of the society so that other classes may depend upon them. It is the responsibility of God Almighty.

Allah s.w.t. had said in the Holy Quran that He intends every facility for every human being; he does not want to put them in difficulties. [8] Allah s.w.t. actually desires ease for mankind and not hardships in every field of life. The Holy Prophet Muhammad was reported to have advised his followers to "Seek all refuge from poverty, sacristy and ignominy".[9] The teachings of Prophet Muhammad has also made it clear that poverty and deprivation are not commendable virtues in Islam, and every effort should be made to eliminate them.

According to Islam, human beings were created by God, and all have equal rights to acquire their sustenance from God given resources. Islam enunciates the principle of the poor having a right (Haqq) in the "genome and wealth" of the well being of the members of society.

Allah says in the Holy Quran that "*And those in whose wealth is recognized right for the needy who asks him who is prevented (for some reason from asking)*".[10]

Ziauddin Ahmad wrote in his book, "However for whatever reason, some members of the human brotherhood fail to acquire sufficient provision for the fulfillment of their basic needs through their own efforts, they have a right in the earning and wealth of others."[11]

So, in the light of these Quranic verses, the universal Islamic principle states that we cannot do this without any discrimination of Muslims and non-Muslims. It is their duty to help and fulfill the basic needs of the non-Muslims in a Muslim country.

Islam is greatly concerned about the poor people. Both Muslims and non-Muslims should be helped in such a way that their self-respect is preserved. Basically in the Islamic economic philosophy, respect to all members of the society are given due course even if they are Muslims or non-Muslims. Islam also advises Muslim rulers that it is their responsibility to fulfill the basic needs of all citizens in the Muslim country. The Quran and the Sunnah have emphasized the importance of helping the poor.

Besides this, Allah also claims in the Holy Quran that:

"Seek Thou one who devices the judgment (to come) then such is the (man) who, repulse the orphan (with harshness) and encourages not feeling of the indigent."[12]

Abdullah Yusuf Ali gave an explanation of these Quranic verses. He described that "charity or love which feeds the indigent at the expense of self is a noble form of virtue, which is beyond the reach of man, who are so callous as even to discourage or to lay or look down upon the virtue of charity or kindness in others."[13] Fulfill the basic needs of all non-Muslims as human beings is a virtue because they are also living in the country and are also under the custody of Muslim rulers as *Dhimmi* (non Muslims).

Encouragement of Voluntary Spending in the Way of Allah

According to Islamic teaching, it is compulsory for all rich Muslim people to spend a part of their wealth in the name of Allah for the welfare of the poor and needy persons in the Muslim country. Allah s.w.t. said that:

"*Those who spend their wealth (substance) in the cause of Allah, and follow not up their gifts with reminders of their generosity or with injury - For them, their reward is with their Lord: on them shall be no fear, nor shall they grieve*."[14]

This means that if we spend in the right way as advised by Allah s.w.t., then we will be blessed by Him. In the Holy Quran, Allah s.w.t. also said that "*Who is he that will loan to Allah a beautiful loan, which Allah will double unto his credit and multiple may times? It is Allah that gives you what are plenty and to him shall be your return*." [15]

Islam emphasizes voluntary spending for the welfare of the poor and the needy and not only to banish poverty but also to promote social unity and harmony. A renowned scholar, Ziauddin Ahmad wrote, "If people practice *Infaq* and derive satisfaction from helping the poor and the needy, society as a whole gains in terms of peace and amity".[16]

This shows that the Islamic vision of a just socio-economic order contains the nation of independent utility functions as an integral part of it." [17]

Equality of Opportunity among Muslims in a Muslim Country

Islam gives equal rights to all human beings to live in a Muslim society as honorable members of the society. Everyone has the basic rights and have an opportunity to develop to the fullest extent possible and to choose professions according to his aptitude. This will, therefore, assure the freedom of choice to all kinds of profession which is the one basic principle of Islam. In a Muslim country, all natural resources are free for the public without any sort of discrimination. Islam also strongly opposes social scarification.

According to Ziauddin Ahmad, he wrote in his book, "*In places where stratification is present, privileges tend to remain with the elite groups. A number of opportunities are not open to the larger parts of the population. This perpetuates inequalities of income and wealth*." [18] Therefore, Islam promotes social justice and encourages Muslims to abide by the Muslim laws as stated in the Holy Quran.

Social and Economic Justice in Islam

Islam considers every mankind as members of one family, in a state or society. All members of this family are alike in the eyes of God and before the laws revealed by Him. There is no difference between the rich and the poor, the high and the low status, or between the whites and the blacks. According to our Holy Prophet Muhammad (Pbh), "*Certainly God does not look at your face or your wealth; he looks at your hearts and your deed*."[19]

There is to be no discrimination due to races, color, or status in the society. The only criterion for man's worth is his/her character, ability and service to Islam and humanity. It means that in the eyes of God, all human beings are equal, whether Muslims or non-Muslims. Imam Bukhri wrote in Sahih-ul-Bukhari in quoting the words of the Holy Prophet that "*The noblest of you, are the best in character*."[20]

The Islamic teaching of brotherhood and equal treatment of all individuals in society and before the law would not be meaningful unless accompanied by economic justice. "Then only will everyone get his due share for his contributions to the society. There will be no exploitation of one individual by another".[21] This point is also very well stressed in Islamic writing. In the Holy Quran Allah said that "*And with hold not things justly due to men, nor do evil in the land working, mischief*." [22] Basically, the Quran urges Muslims to respect others of their rights.

Muhammad Umar Chapra (1979) wrote in his book on this point by implying thereby that every individual must get what is really due to him and not more by depriving others of their share.[23] The Holy Prophet aptly warned Muslims: "*Beware of injustice for injustice will the equivalent to Darkness on the day of judgment*."[24]

Actually, this warning against injustice and exploitation is designed to protect the rights of all individuals in the society, whether Muslims or non-Muslims, in the Muslim state in order to promote general welfare. The ultimate goal of Islam has its own special significance, especially the relationship between Muslims and non-Muslims. This is where Islam places specifying norms for the mutual treatment of both so as to economically facilitate and establish justice between them in a Muslim country. A non Muslim is entitled for economical facilities and justice within the Muslim country. It is unlawful for a Muslim country to exploit non Muslim citizens.

Social Security and Economic Facilities:

It is the duty of a Muslim country to ensure a respectable standard of living for all citizens of the country, even if they are non-Muslims or any individual who is unable to take care of his/her own needs and hence requires assistance. There are a number of verses in the holy Quran which specify this command. The Holy Prophet clearly described that, "*He, whom God has made an administrator over the affairs of Muslims but remains indifferent to their needs and their poverty*." [25] In addition, the Prophet also said that "He who leaves behind him are dependents who are our responsibilities"[26] and that the ruler is the main supporter while the non-Muslims have no supporters.

Prophet Muhammad also warned that "*those whoever persecuted a Dhimmi (non Muslim) or used a surplus right or took work from him beyond his capacity, or took something from him with evil intentions, I shall be complainant against him on day of the resurrection*".[27] Besides this, Prophet Muhammad (pbh) also added that "Whosoever hurts a Dhimmi ,(non Muslim) I shall be his complainant, and for whosoever I am a complaint, I shall ask for his right on the day of resurrection".[28] "One who hurts a Dhimmi (non Muslim), he hurts me, and one who hurts me, hurts Allah s.w.t.".[29]

These and other similar *Al-hadith* laid down the gist of Islamic teachings in the realm of social and economical security for the non Muslims in a Muslim country.

Equal Economic Rights and Facilities in a Community:

Hazart Ummar (RAA), the second Caliph, explained the redistributive justice in Islam and emphasized in one of his public addresses that "*Everyone has equal right in the wealth of community, that non, not even he himself, enjoyed a greater right in it then, anyone else, and that if he were to live longer, he would see to it that even a shepherd on mount Senai received his share from this wealth*".[30]

Next, Hazarat Ali (RAA) who was the fourth Caliph of an Islamic state was reported to have stressed that, "*God has made it obligatory on the rich to provide the poor with what is adequate for them; if the poor are hungry or naked or troubled, it is because the rich have deprived them (of their right) and will proper for God to hold them responsible for this deprivation and to punish them*." [31]

The jurists had almost unanimously held the proposition that it is the duty of the whole Muslim society in general, and of its rich in particular, to take care of the basic needs of the poor, and if the well-to-do do not fulfill their responsibilities in spite of their ability to do so, the state (Muslim country) will compel them.[32] We can conclude that we should treat the non-Muslims as Muslims and as human beings. Four caliphs and the Muslim Kings, Ummayah , Abbasi, Usmanni, and Fatimi exercised those rights which were established during the period of Prophet Muhammad s.a.w. in the sub-continent and other Muslim countries.

Provision of Basic Economics Facilities by State:

It is the responsibility of a Muslim state to provide the basic needs for all citizens of the country. It is a sacred function of Muslim rulers to provide the basic necessities of life economically to the poor, needy, unemployed, handicapped, and also to the non-Muslims. In short, Islam provides and recognizes the right to private ownership and allows man to earn as much as he can by utilizing all his skills and efforts without going beyond the Islamic norms of earning. He is permitted to earn his living but is not allowed to engage himself in any immoral activities whatsoever. There are some restrictions under the Muslim law in order to control daily human activities for the sake of social discipline and peace. Dr.Abul Hassan Muhammad Sadeq wrote in his book entitled "Economic Development in Islam," about the equitable distribution of wealth. According to him, "*The positive Mechanism of distributing Wealth ensures distributive just which contributes to equity. Distribution of wealth have been declared, prohibited by the Quranic and prophetic injunction, religious moral obligation have been imposed to do, what is permitted and to refrain from, what is prohibited, which is supplemented*

by Hisbah, (supervisory) role of the state (Muslim country). All these contribute to the achievement and maintenance of equity in the distribution of income and wealth in an Islamic country." [33]

So this equitable role of the state is implacable and all Muslims and non-Muslims will have a fair share of the country's wealth as citizens in a Muslim country. Aidit Ghazali (1990) wrote in his book, "Development - An Islamic Perspective" (A basic study of Malaysia case), that non-Muslims should have an equal economic right in Muslim countries all over the world. He quoted Malaysia as an example as a Muslim country. He advocated that "*The implementation of Islamic principles in operational mechanism of ECR (Export Credit Refinancing) would enable Bank Islam Malaysia to have the same opportunity as the conventional banks. It would also enable Muslim exporter to finance their Export through on interest free export credit system. Non Muslims exporters in Malaysia would also have a choice between the two alternative systems*".[34] So we can say that especially in Malaysia and other Muslim Countries, the non-Muslims have equal economic rights and facilities for improving their businesses and economy. If we were to provide truly Islamic economic facilities, the non-Muslims would especially choose the Islamic financial system for their operation. This depends totally on the *implementation of Islamic principles* of economical facilitation for the non Muslims.

Government Services for Non-Muslims:

With regard to employment in government offices, there is a historical precedent to show, "*that non Muslim Citizens were employed to government posts during the time of the rightly guided Caliphs, and in the later period to Ministerial positions, army commanders and chief of (their) religious schools*."[35] In Muslim history, there are many historical evidences which show that, "*non Muslims were employed in large numbers and in high Government positions under the Umayyads and the Abbasids and they are known to have become particularly influential due to their economic power and wealth*." [36] As for other administrative services, the non-Muslims were employed without any difficulty. There are many examples of public positions such as in accountancy and the administration of taxes like *Jizyah* and *Kharaj*. All these posts were "*handled efficiently by non- Muslims*".[37] Even Khalifa Ummar Ibn Khutab (RAA) had appointed Sabi Qaysariyyah in book keeping and the management of other Muslim affairs.[38] Another researcher, Dr. Abdur Rahman, wrote in his book entitled "Non Muslim under Shariah" regarding the non-Muslims. He claimed that during the Mughul period of

India and the Uttoman Empire, the non-Muslims rose to the highest Ministerial posts and became trusted consultants of the Muslim Emperors. The only distinction that was always necessary to be maintained was about those posts which had some connections with the beliefs of the Muslims. They were given only to the Muslims.[39] Muhammad Hashim Kamali wrote very clearly in his book "Freedom Equality and Justice in Islam" that non-Muslim citizens also enjoyed total equality of trade and transaction as well as ownership of property, other economic and industrial activities where they are free to act, or interact as partners and associates with their fellow Muslims without any restriction.

They may also reside in any locality and conduct their customary, religious and cultural affairs if they wish to.[40]

Equality in *Jizyah* (Tax):

Jizyah is a kind of tax that non Muslim citizens are required to pay in Muslim countries. However, in the light of Shariah or Muslim law, if a Muslim ruler fails to protect the life and property of non-Muslim citizens, this Muslim ruler has to return the Jizyah to the concerned non-Muslim citizen. So, it is compulsory for all non-Muslims to pay *jizyah* just as Muslims will have to pay the obligatory Zakat in order to help the poor. Moreover, non-Muslims will be absolved from military services but if any non Muslim citizen themselves wish to serve in the army; they may do so, in which case they will be exempted from the payment of jizyah.[41] A great jurist , Al Mawardi, stated that " *only those who are capable of paying are required to pay the Jizyah and this has meant that the sick and the disabled, the elderly, children ,women and monks are not under duty to pay*."[42] The jizyah (tax) is to be accepted from all non-Muslims, whether they belong to Ahl- al-kitab (people of the book) like the Jews and the Christians as well as Zoroastrians, Budhists, Hindus ,Saracens ,Magians, etc. The Muslim Jurist, claimed that "*All non Muslims are to be considered as belonging to one and same category for the purpose of Jizyah (tax).*"[43] On this topic of Jizyah, it may concluded that due to drastic changes of circumstances in the present time and the fact that taxation and military service laws are applied equally to all citizens, there remains no basis for the imposition of Jizya as a separate tax on non-Muslim citizens. In order to take a mechanical approach to the imposition of Jizyah is disregarded due to the prevailing circumstances that may well amount to injustice which the Holy Quran has clearly proscribed.[44] Today is a modern world and all the systems have been changed. Our present Islamic shariah Jurists such as Muhammad Shaltut,Yusuf Al Qaradawi Mahmassani, Abd al-Qadir Awdah,Murtaza Mutahhari, andTawfiq Al-Shawi,have different views about Jizyah. It may be said in

conclusion that the evidence in the Quran and Sunnahis support equality and justice for all. Therefore, Muslims or non-Muslims are required to pay the Zakat or Jizyah.

Economic Facilities in the funds of Bait al-Mal of Muslims:

Almost all Muslim jurists are unanimous in their opinion that ,“ Muslims as well as non-Muslims are to be treated equally in their rights to be looked after from the Bait al Mal funds in any Muslim Country.” [45] Their arguments are based on the following incidents:

1. It is reported by Abu Ubaid from Said Bin Al-Musayyab; “The messenger of Allah (s.a.w) gave charity to the families of Jews since it is permitted for them.”[46]
2. Imam Muhammad, the pupil of Imam Abu Hanifa, had reported that Prophet Muhammad (s.a.w.) sent some property to the people of Mecca to be distributed among the poor people during the period of famine.”[47] They were idolaters and were engaged in fighting against Muslims. The Dhimmies were far better than them.
3. During the reign of Caliph Abu Bakar,(RAA) Khalid Bin Walid recorded among the terms of his treaty with the people of Hirah that, “If there were any old man incapable of doing any work or has been struck by some calamity or he was rich then became a pauper, he must be exempted from the payment of Jizyah and that he should be maintained from the Bait al Mal of Muslims”.[48]
4. Umar Bin Al- Khitab (RAA), the second Caliph, saw some Christian lepers while returning from Da-Masscus,. He ordered that “they should be given *Sadaqah* (charity) and stipends from the public treasury.”[49]
5. Caliph Umar (RAA) also took a poor Jew to the Bait al Mal and ordered an official to fix maintenance for him and other people of his kind.”[50]
6. Abu Ubaid Qasim Bin Salam had narrated that “Umayyad Caliph Umar Bin Abd al Aziz (RHA) wrote to Adi Bin Artat, his official in Basrah, to ook after the affairs of the Dhimmies, particularly those who were old and weak and had no means of income. They should be given maintenance from the Baital Mal of the Muslims.”[51]

These are significant evidences in Islamic history that, in a Muslim country, any non-Muslims (Dhimmies) are entitled for the equal support from the funds of Bait al Mal, which may include revenues from the Zakat. The second caliph, Umar (RAA) often Quoted this Quranic Ayyah

that "*Alms are for the poor, and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to truth); for those in bondage and in debt; in the cause of Allah; and for the way fairer: (thus is it) ordained By Allah, and Allah is full of knowledge and Wisdom*."[52] Imam Abu Yusuf narrated in his Book, "Kitab Al Khraj, that" Umar (RAA) himself justified his position by referring to this Quranic Ayah."[53] In addition, a modern scholar, M. Hashim Kamali, supported this claim "without any reference to their religious followings". [54]

As a researcher myself, I (Dr. Eshrat Hussain Basri) would like to express my personal opinion that nowadays, in a Muslim Country, any non-Muslim can get the financial opportunity from the Fund of Bait al Mal in Alms and Zakat.

Payment of Zakat to non-Muslims:

In fiqah al Islami , there are some different views the giving of Zakat to the needy non-Muslims in a Muslim Country. This is because Zakat is only contributed by Muslims only and the non-Muslims are exempted from it. Zakat is one of the five significant Islamic Principles. It must be given at the rate of 2 1/2 % by the Muslims from their annual savings. Although the non-Muslims have not contributed anything to it, according to Imam Zafar who thinks that it is lawful to give Zakat to the poor and destitute non-Muslims (Dhimmis) in order to draw them closer to Muslims, they can still be recipients from the Zakat funds.

Another group of jurists only allow the payment of Zakat to the poor non-Muslims (Dhimmis) when a poor Muslim recipient could not be found anywhere. The following incidents speak in favor of the Zakat for non Muslims:

(a) "When the second Caliph, Umar Bin Al Khatab, saw a Jew begging from the people, he asked him the reason for it. The Jew told him of his old age and inability to earn his bread but yet he still had to pay the Jizyah."[55] On hearing this, Umar recited this verse from the Quran, "*undoubtedly the Zakat is for the poor and the destitute*."[56] Then he said, "*the poor mentioned in the verse are the poor Muslims and the destitute are those belonging to the people of the book*."[57] According to Imam al Jassa, this arrangement of Umar refers to the lawfulness of giving Zakat to the non-Muslims.[58] Therefore, this verse about the giving of the Zakat is also inclusive of the non-Muslims. According to Malki, a Zaidi prudence school of jurists, "*It is lawful to give Zakat to non-*

Muslims. It will make them well disposed to Islam and that they will not side with the enemies."[59]

(b) In spite of the above, there are still arguments made by some jurists belonging to different schools who insisted that Zakat should not be given to non-Muslims."[60] So, it is a decision of renowned jurists and Scholars that those non-Muslims have full Rights to take Zakat from the Zakat fund in a Muslim Country.

Conclusion:

In the light of above discussion we can conclude that there are clear provisions of protection of rights of non-Muslims in Islam. So the government of the Muslim Countries should care for the welfare of its citizens, whether Muslims or non-Muslims. The countries should practice Muslim laws with justice and fairness and ensure equal distribution of facilities and jobs opportunities to all. Muslim rulers thus can play a significant role in providing economical facilitation and the equal rights to the non-Muslims for the fulfillment of the goal of *shari'ah* (Muslim law). All people have their individual freedom and rights within the Islamic sense based on the moral laws of Islamic philosophy of life as specified in the holy Quran, Sunnah of the holy Prophet Muhammad (pbh) and the Islamic Shari'ah. Furthermore, they should follow the precedent of four poise caliphs and the Islamic history.

Recommendations:

Islam is a way of life. Islamic Financial System cannot be separated from Islamic ethics and Islamic *shariah*. In order to ensure the smooth running of an Islamic financial system, it is ideal that we have a society that is honest and trustworthy. Although Islam, as a practical religion, does need a society that is hundred percent honest and trustworthy, however, it would be ideal if we could encourage Islamic ethics and Islamic *shariah* while creating an Islamic financial system for the non-Muslims by providing them economic facilities / opportunities in Muslim countries. If we were to uphold sincerity and truth, most problems can be overcome since truth brings peace while dishonesty only creates doubts and abuse.

It is also incumbent on Muslims to conduct regular and useful dialogues with non-Muslims in the atmosphere of sincere realization of a better life for all. Any miscommunication and lack of understanding must be ironed out with the hope that the potential to be good in all men will overcome man's potential to be bad also. On the question of economic

facilities, there are fears of non-Muslims over the revival of Islam and efforts to convert them into Muslims by the rulers of Muslim Countries. The researcher / writer believes that if non-Muslims think positively and have good and noble virtues, then there is no reason for them to fear Islam, Islamic Muslim Countries and the Islamic Economic System.

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